App F IX 4

1

Previous References
L 172-43-4, 6

194 4 Municipal

2nd File No 171-4
Serial Nos 1, 2

Later References

GENERAL AND REVENUE SECRETARIAT

Serial Nos 2

Part B for Dept. Tech.

SUBJECT

Tenders for construction of Municipal Office Building at Davangere

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The D.C Chitaldrug

L 6137 dated 21.12.44

forwarding tenders

19/1

Continuation Sheet | File No / Current No | of | Page

From the D e chief Engr
No A-6-809/44 dt 8-11-44
Requests sanction to the proposal
of the Dewangere Municipal Council to
entrust the work relating to the
construction of a building for the
Municipal office at Dewangere to one
Mr B N Balakrishna Mudaliar
at a cost of Rs 90,402-6-0 as
~~to the excess cost of Rs 31,402/-~~
as against the sanctioned cost of
Rs 59,000/- and to the excess amount
of Rs 31,402/- involved thereby
In pp dt 29-7-44, sanction
was accorded to an estimate
for Rs 59,000/- for the construction
of the Municipal office building at Dewangere
2 The Municipal Council is anxious to
entrust this work to Mr Balakrishna
Mudaliar at a cost of Rs 90,402-6-0
as against the lowest tender
of Rs 83,157-3-0 submitted by
another firm, for reasons stated
in the D e's report
3 The opinion of the chief engineer
for Irrigation on the desirability
of entrusting the work at a
cost of Rs 90,402-6-0 to Mr Balakrishna

re construction of a rice office at Davangere 3187

C F 691

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in the presence of a lowest tender for Rs. 83,157-3-6, may perhaps be called for in the first instance.

4) The latest date for the receipt of the tenders for the work was 15/11 25.9.1944.

The tender of M/s Balakrishna Mudaliar was given on 27.9.1944. M/s is now recommended for acceptance by the Chief Engineer.

The contractor has not put in his tender within the time prescribed for the receipt of such tenders. The notification as it is related. His rates are not the lowest. He is not prepared to do the work for the lowest amount tendered either for the circle, it could be unfair to the other five contractors who have abided by the conditions of the tender notification not to accept the one received beyond the lowest tender date. Perhaps the Chief Engineer may be requested to advise the Board to call for fresh tenders.

The Secretary to the Chief Engineer, Bangalore called for in the matter.

Law Secy. 21/11/44

SECY. LAW DEPT. 22 NOV 1944 MYSORE

2087
22/11/44

OFFICE OF THE CHIEF ENGINEER OF MYSORE
REGD NO 20132
DATE 23-11-44
BANGALORE

SECY LAW DEPT
4757
GOVT OF MYSORE

U.O. 231
9-12-44

1st Rec C E may be consulted
Ces
22/11/44

2 Forwarded with compliments to the Chief Engineer for Roads & Buildings for favour of his remarks in the matter.

for Secretary to Government
Revenue Department
22/11/44 Law Dept

The lowest tender may be accepted.

2. If it is found that this contractor is unable to show satisfactory progress his tender may be cancelled and other arrangements made to complete the work at his cost. The reasons put forward in recommending the work being entrusted to a particular individual even at higher rates cannot be accepted.

Secretary to Government,
Law Department, with
compliments.

A.K./8th.

W.B. Despatch
Cc RHB
Ces
9/12/44

3. The following note is submitted for perusal and orders.—

In G.O. No. L 945-8 dated 29-7-44, sanction was accorded to an estimate for Rs. 59,000/- for the construction of a municipal office building at Davangere.

In response to the notification published by the

president calling for tenders for the above said work, of the following four tenders from the gentlemen noted against ~~them~~ each of them were said to have been received:—

Messrs —	As per estimated items —	As per alternative items
1 Mega sab —	Rs, 100, 037-6-0 —	Rs 1,12,393-10
2 K Mahadevappa —	Rs 96,812-2-0 —	Rs 1,00,529-10
3 H A Vahab Khan —	Rs 89,047-4-0 —	Rs 95,182-6
4 T N Veerabasappa & Gowda Sankappa —	Rs 80,372-3-0 —	Rs 83,157-3

To the above four tenders were received on or before the date specified by 3 P M on 25/9/41 ~~in paragraph 4~~

II Subsequently, one M B N. Balakrishna Mudaliar, a local contractor submitted a tender for Rs 90,402-6-0 This is said to have been ~~submitted~~ received two days after the specified date i.e on 27/9/1941

IV We would have resolved that the tender of M Balakrishna Mudaliar for Rs 90, 402-6-0 ~~was~~ may be accepted, though he submitted his tender two days late and though there is a difference of Rs 10,030 between the amount of the lowest tender and that tendered by M Balakrishna Mudaliar

Continuation Sheet

construction of a mil office
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2

the design & estimate also supports the mil ol and recommends sanction to accept the tender of M/s Balakrishna Mudaliar

13) The chief Engineer of R+B who was consulted in the matter has given opinion that the lowest tender may be accepted provided the contractor agrees to carry out the work at his own risk and responsibility and that the department will be relieved of all liability in the event of any accident occurring during the execution of the work. The contractor has accepted these conditions.

14) The Superintending Engineer Tumkur Circle has also forwarded the applications received in response to the notice inviting tenders for the above two works, the particulars of the lowest tenders received in each case and has suggested that the tender of M/s Balakrishna Mudaliar may be accepted.

15) In the circumstances, the proposals of the Superintending Engineer Tumkur Circle to accept the tender of M/s Balakrishna Mudaliar for the above two works is submitted for orders.

16) Government may kindly be moved to accept the tender of M/s Balakrishna Mudaliar for the above two works and to authorise the Superintending Engineer Tumkur Circle to enter into agreement with the contractor on behalf of Government.

LAW DEPT. 47 R
GOVT OF MYSORE

WD 0726—GPB—21000—15-9-44

17) The lowest tender amounting to The C E's opinion may be accepted

Member 2 SG

Dewan

Ans 11-12 to 4c from 18)

14 12 44

19) The M.C. recommend the acceptance of Mr Balakrishnan's quotation on the ground that Mr Balakrishnan is an experienced Contractor & the D.C recommends the proposal. neither the M.C nor the D.C have explained why the offer of the lowest tenderer is not acceptable. The allegation that Mr Balakrishnan was away when tenders were submitted cannot be ~~exp~~ accepted. The lowest tender should be accepted in view of the recommendation of the C.E. who has nothing to say against the lowest tenderer or his rates. If there is any doubt that the lowest tenderer will not be equal to the work, same security (5 or 10%) of the estimate can be obtained which can be forfeited in case he fails to execute the work within time or acc

4044

OFFICE OF THE MINISTER FOR L S G & P H Date 15 12 44 No 4878

OFFICE OF THE MINISTER FOR L S G & P H Date 18/12/44 No 4974

x x to appd & specifications

DD 18/12 4c. 18.12.44

Ans 19-12-44

re rent Office building at Davangere. 3187

A draft letter is submitted – Ref from Engineer?

mca 19/12 For approval

Law Secy 19/12/44

Govt of Mysore

Chief Engineer

Bangalore

To,

The Director of Civil Supplies

Bangalore.

Rejects the proposals with certain observations.

Bmca 5/1

A6-809/44-45
Enclo:- File., Estimate, plan and odrders.

From

The Deputy Commissioner,
Chitaldrug District,
C H I T A L D R U G.

Office of the Deputy Commissioner,
Chitaldrug District,
Chitaldrug dated 8th November 1944.

By Registered

IML 171-44-1

3187/c

To

C. Narayanaswami Naidu Esq., B.A., B.L.,
Legal Remembrancer & Secretary to Government,
Law Department, B A N G A L O R E.

Subject:- Acceptance of the tender of Mr. B.N.Balakrishna Mudalior, contractor for the construction of a new building for the municipal office, Davangere.

Sir,

Adverting to Government order No. L.9458/Ml. 172-43-6/W.R. dated the 29th July 1944 sanctioning an estimate amounting to Rs.59,000/- for the construction of a building for the Municipal office at Davangere I have the honour to state that in response to a notification published by the President of the Davangere Municipal council, in the Mysore Gazette dated the 7th September 1944, four tenders were received from the following contractors on or before the date specified in the Notification.

		As per estimated items	As per alternatige itmms.
Messrs.	1. Miya Sab	Rs. 1,00,037- 6- 0	Rs.1,12,393-10-0
	2. K.Mahadevappa	96,812- 2- 0	1,00,529-10-0
	3. H.A.Vahab Khan	89,047- 4- 0	95,182- 6-0
	4. T.N.Veerabasappa & Gowdar Sankappa	80,372- 3- 0	83,157- 3- 0

Subsequently Mr. B.N. Balakrishna Mudaliar, one of the local contractor of Davangere Town, who was reported to be absent at the time of the publication of the notification, gave a tender on 27-9-1944, for a total amount of Rs. 90,402- 6- 0. The Municipal Council, at its meeting convened on 29-9-1944, resolved that, as Mr. Balakrishna Mudaliar is an experienced contractor, his tender might be accepted and that sanction of Government may be obtained for the same. The entire records were however, returned to the President,

90402-6-0
59000
31402

with the observations that there was a difference of Rs.10,030/- between the amount of the lowest tender and that tendered by Mr. B.N. Balakrishna Mudaliar and that if the council is anxious to entrust the work to the latter, he may be asked if he is prepared to undertake the work for the lowest amount tendered, as otherwise the municipality would incur a loss of over Rs.10,000/-.

2. The reply from Mr. Balakrishna Mudaliar, pleading inability to carry out the work at the lowest rate tendered is enclosed in the records. This letter was placed before the municipal council at its meeting held on the 18th October 1944, when it was resolved unanimously that the representation of mr. Balakrishna Mudaliar may be sent up for favourable consideration.

3. In view of the fact that Mr. Mudaliar is one of the experienced contractor, who has executed very satisfactorily certain important works, such as drainage work of the municipality and other private buildings of Vanaspathi oil Mills, Davangere cotton Mills and Dharmapravartha Mr. Rajanahalli Hamumanthappa's Dharmasala, costing several lakhs of rupees and as all these works carried out by him are strong and substantial, the municipal council, is eager to entrust the work to him though the amount tendered is high, the object being to get the maximum benefit for the amount to be expended.

4. Under these circumstances, I request that Government may be pleased to approve of the recommendation of the municipal council to entrust the work to Mr. B.N.Balakrishna Mudaliar, at a cost of Rs.90,402/- and also to sanction the excess of Rs.31,402/- over and above the sanctioned estimate, although the tender of Mr. Mudaliar is in excess of Rs.7,245/- over the lowest amount tendered, as per calculations made in respect of certain alternative items worked out in the comparative statement enclosed.

5. In this connection, the Municipal council request that a suitable grant may be sanctioned out of the Town Improvement Grant for the current year, as already prayed for by the municipal council in its address presented to the Minister for Local Self Government and Public Health during his recent visit to Davangere Town in August 1944.

/0

5. The entire file of records ending with report No. H.C. 84/43-44 dated the 20th October 1944 from the Municipal President along with the estimate, plan, and the tender of the contractors and slso a comparative statement worked out by the Municipal Sr Engineer, is herein enclosed for favour of perusal of Government and return.

I have the honour to be,
Sir,
Your most obedient servant,

for Deputy Commissioner,
Chitaldrug District.
Absent from Headquarters on Tours

ms/

3511/44

OFFICE OF THE MINISTER FOR L S G & P H
Date 22-11-44
No 553

To,
Rajamantra Pravina,
H.B.Gundappa Gowda B.A, B.L.
Minister for Local Self Government,
Government of Mysore,
Bangalore.

SECY LAW DEPT. 22/11/44 GOVT OF MYSORE

Applicant:-
H.Abdul Wahab Khan.
Contractor,
Davangere.

Respected Sir,

I humbly beg to submit that I am one of the scheduled contractors of the Municipality etc. and in that capacity and in the capacity of a private contractor I have executed number of works.

The Municipality invited tenders for constructing a Municipal Office at a cost of nearly a lakh of ruppes. Four of us had applied in time i.e.on25-9-44 and one more was received at the meeting held on 29-9-44. A few members objected to receive this belated tender. Inspite of this objection the President ruled it in order and took it for consideration. This tender was found to be about Rs.10000/- higher than the lowest among the other tenders. Yet on the recommendation of the President and some of his supporters, this belated tender was accepted. All of us protested at the meeting and we also brought this to the notice of the Deputy Commissioner. I now learn that the Deputy Commissioner has forwarded the connected papers to the Government.

In this connection I may be permitted to bring to your kind notice that the Municipality was not within their power to receive and consider the tender. The notification specifically mentioned the time limit within which tenders should receive the office. In contravention of this specific notification, the Municipality had no powers to accept it. Secondly, the Municipality cannot accept the tender of a person whose etsimates are higher by Rs.10000/-. It would be understandable if the lowest were accepted. But to receive a belated application and give it to him when it is so high, it is really very surprising indeed!

This acceptance of the tender has evoked considerable adverse comment at the hands of the public. Many things are said and done in the town in this connection. Many more things are spoken in the town with regards to verious other things.

To avoid all these scandals, the lesst the Government could do is to cancel the whole thing and order fresh tenders. The public would rather not have the Municipal Office, than have such an Office with these scandals attached to it.

Therefore I pray you Sir, to consider this question and deside it in conformity with the public feelings and justice and equity.

DAVANGERE)
18th Nov.44)

I beg to remain
Respected Sir
Yours Obediently.

H. Abdul Wahab Khan

SECY. TO GOVT OF MYSORE

OFFICE OF THE MINISTER FOR L S G & P H
Date 6 12 44
No. 640

3951 / c

To.

H B Gundappa Gowda, Esq, B A, B L,

Minister for Local Self-Govt

Govt of Mysore

Bangalore

Applicant - Kayisetty Mahadevappa,

Contractor

Davangere

Respected Sir,

I beg to submit for your kind consideration the following petition of mine and pray you to undo the wrong done by the Davangere Municipality

I have been an approved Contractor of the Municipality, D.P.W, and various mills, factories etc, and have been engaged in this work for over two decades Recently, the municipality invited Tenders for the Construction of the municipal office at a cost of nearly one lakh of rupees. It was notified both in the Gazette and the newspapers that the last date for receiving their Sealed tenders was 25.9.44 before 3 P.M. In conformity with this, I along with 3 others submitted our tenders together with the required deposit of Rs 3000/- each These Sealed Tenders were opened at a Special general meeting held on 29.9.44

On the day of the meeting, to the surprise of all concerned, a late offer from the tender of one Mr Balakrishna Mudaliar, was received inspite of the objections of a few members that it was a belated tender. This objection was strongly and peremptorily brushed aside by the President on the suggestion of one Mr Gopal Rao and what is more strange is, that this belated tender although higher than some of our tenders was accepted without giving room for free discussion [illegible]

The Deputy Commissioner was approached by some of us and he asked the Municipality whether they can Balakrishna Mudaliar could accept the lowest tender among the rejected ones. He refused but all the same the President again has recommended them endorsing the great merit in the work of Mr Mudaliar

It would be perhaps unnecessary to invite your kind attention to this very strange conduct of the President in not only receiving this belated tender but also in accepting it and for pleading for its acceptance from the Govt. This attitude of the President and some Councillors of his political party and one Mr Gopal Rao, has evoked a good deal of condemnation at the hands of the public. The contract is not a petty one wherein the public can be lukewarm about it. The [illegible] is [illegible] because of

this arbitrary manner of disposing of this matter. This action would put the Municipality to a loss of at least Rs 10,000/- This is not a small amount and the Municipal Council is the trustee of the public funds. This conduct of the President is openly condemned by the public and all sorts of rumours and scandals are in the air.

It is needless to submit that the Contractors are also intensely dissatisfied at this undue favouritism. It is very necessary and desirable that in the interest of the public works and purity of Contracts (Sealed tenders) and the proper utilization of public funds that such irregular and illegal activities are prevented by the Govt and allay the public feelings in such vital matters.

Therefore I pray your Respected Sir, to be good enough to consider our prayer and do justice to the public and peace of the public feelings by ordering fresh tenders and which alone would prevent all sorts of scandals by inactive of the President.

I beg to remain
Respected Sir
Your most obedient servant

Davangere
13th Nov 1944

D.O. No. 43-44

K T Jamlanna
President,
Town Municipal Council

Davangere

Date 16th Nov 1944

OFFICE OF THE MINISTER FOR L S G & P H
Date 23.11.44
No 560

SECY. LAW DEPT. GOVT OF MYSORE

L S G BRA

Dear Sir,

I beg to state that tenders received for the construction of the Municipal office building have been submitted by the Deputy Commissioner, to Government for acceptance sometime back. As I want to commence the works immediately and complete the same before the end of this official year, I request you kindly accord sanction to the resolution of the Municipal council accepting the tender of Mr. Balakrushana Mudaliar and get the same communicated as early as practicable.

Thanking you.

With best regards.

Yours obediently,

K T Jamlanna
President,
Town Municipal Council Davangere.

TC.

Rajamantra pravina,
H.B.Gundappa Gowda Esquire., B.A.,B.L.,
Minister for Local Self,
Government & Public Health,
BANGALORE.

The connected file has been referred to the Chief Engineer for Roads & Buildings on 22/11/44. His return will be awaited

Here is another petition requesting that the tenders may not be given to the contractor referred above. Pl put up.

24/11

The petition is further received. This will be dealt with on the file after the receipt of return from the Chief Engineer, as noted

3577
L re construction of Int Office at Durazzo.

Ld by the minister Yes in that petition
ma
4/11

Yes

A draft Res submd.
ma 5/12

G R S App F G 3

GENERAL AND REVENUE SECRETARIAT

(*Continuation sheet draft form*)

No L-6137- dt 171-44-2 15

To, ——— Madras

The D. C. Chittalmpat-

Sir,

~~Sm~~, with reference to your letter No A 6-809/44 dt 8-11-44 re the acceptance of the tender for the construction of the rural office buildings at Devanampet, I am directed to state that your recommendation to accept the tender of M. B. N Balakrishna mudaliar for Rs 90,602 for the work in question, as proposed by the Rural dt, for reasons stated does not commend itself to govt. as the lowest tender submitted by Messrs T N Veerabasappa & Govinda Sankappa in this behalf should, therefore be accepted by the

the estimate for which was sanctioned in G.O No 945-8/ Rural 172-43-6 dt 29-7-44

WD 0565—GPB—22 500—8 11

ml. cl

however
of them any doubt is felt that the two
lowest tenders will not be equal
to the work, some security viz 5 or 10%
of the estimate may be obtained
which can be forfeited in case
they fail to execute the work within the
time prescribed or according to approved specifications
& Rc ends accompany

Above cl

From Secy/Law

Memo L-6138-9 21/11/44

Copy of the above is forwarded with compliments
to :-

1) The chief Engineer for Roads & Buildings ✓ with reference
to his D.O. Note No. 231 & 9-12-44 on the
subject

~~2) The D.P.H.~~

2) The Comptroller ✓

By order

Secy/Law

Pages 1–4